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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
6 **SAN JOSE DIVISION**
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8 SASA MASLIC, et al.,
9 Plaintiffs,

10 v.

11 ISM VUZEM D.O.O., et al.,
12 Defendants.
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Case No. 21-cv-02556-BLF

**ORDER TO SHOW CAUSE WHY
DEFENDANTS ISM VUZEM USA, INC.
AND VUZEM USA, INC. SHOULD NOT
BE DISMISSED FOR FAILURE TO
EFFECT SERVICE OF PROCESS**


15 It appears from the docket that Defendants ISM Vuzem USA, Inc. and Vuzem USA, Inc.
16 have not been served. Those defendants are alleged to be a South Carolina corporation and a
17 California corporation, respectively. *See* Corrected First Am'd Compl. ¶¶ 5-6, ECF 63.
18 Accordingly, Plaintiffs were required to serve them within 90 days after the complaint was filed.
19 *See* Fed. R. Civ. P. 4(m) ("If a defendant is not served within 90 days after the complaint is filed,
20 the court--on motion or on its own after notice to the plaintiff--must dismiss the action without
21 prejudice against that defendant or order that service be made within a specified time.").

22 In briefing on other matters, Plaintiffs have indicated that Defendants ISM Vuzem USA,
23 Inc. and Vuzem USA, Inc. are dissolved corporations. However, a defendant's status as a
24 dissolved corporation does not necessarily relieve a plaintiff from the obligation to serve process.
25 *See Haskins v. Fuller-O'Brien, Inc.*, No. 11-CV-05142-JST, 2013 WL 1789672, at *3 (N.D. Cal.
26 Apr. 26, 2013) (describing the means by which a summons may be served on a dissolved
27 corporation under California law). Plaintiffs shall address this issue in their response to this Order
28 to Show Cause.

1 Plaintiffs are ORDERED TO SHOW CAUSE, in writing and by July 14, 2023, why
2 Defendants ISM Vuzem USA, Inc. and Vuzem USA, Inc. should not be dismissed for failure to
3 effect service of process.

4 **IT IS SO ORDERED.**

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6 Dated: June 26, 2023

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8 BETH LABSON FREEMAN
9 United States District Judge
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United States District Court
Northern District of California